

Message Text

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67

ACTION L-03

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 SAM-01 AF-10 ARA-16 EA-11 EUR-25 NEA-10

ACDA-19 DRC-01 /185 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 4377

INFO USUN NEW YORK 139

UNCLAS GENEVA 1380

E.O. 11652: N/A

TAGS: PARM, ICRC

SUBJECT: GENEVA CONFERENCE ON LAW OF WAR: NATIONAL LIBERATION

MOVEMENTS

REF: GENEVA 1303

1. ON MARCH 1, CONFERENCE ADOPTED RESOLUTION TRANSMITTED
REFTEL WITHOUT VOTE. PRIOR TO ADOPTION
PREAMBULAR PARA 2 CHANGED BY INSERTING WORDS "PROGRESSIVE
DEVELOPMENT AND" BEFORE WORD "CODIFICATION". OPERATIVE
PARA 2 CHANGED BY DELETING THE WORDS "OR GOVERNMENT".

2. DURING DEBATE PRIOR TO ADOPTION OF RESOLUTION AND
IN STATEMENTS AFTER ITS ADOPTION DELEGATIONS STATED
THEIR RESERVATIONS. USDEL MADE BRIEF STATEMENT AND
SUBMITTED FOLLOWING TEXT FOR THE RECORD:

" THE DELEGATION OF THE UNITED STATES OF AMERICA
UNDERSTANDS AND RESPECTS THE DESIRE OF CERTAIN
NATIONAL LIBERATION MOVEMENTS TO TAKE PART IN THE WORK
OF THIS CONFERENCE. THE DELEGATION EXPRESSES THE HOPE
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THAT THE PARTICIPATION OF THESE GROUPS WILL LEAD TO

GREATER RESPECT FOR LAW AND CONCERN FOR BASIC PRECEPTS OF HUMANITY IN THE CONDUCT OF THE ARMED CLINFLITS IN WHICH THESE MOVEMENTS ARE TAKING PART. IT IS WITH THESE CONSIDERATIONS IN MIND THAT THE DELEGATION OF THE UNITED STATES IS PREPARED TO ACCEPT THE ADOPTION OF THIS RESOLUTION (CDDH/22) BY THE CONFERENCE BY MEANS OF A PROCEDURE THAT AVOIDS A VOTE ON THE RESOLUTION.

"NEVERTHELESS, THE DELEGATION OF THE UNITED STATES BELIEVES THAT IT SHOULD STATE ITS RESERVATIONS TO THIS RESOLUTION AND ITS CONVICTION THAT THIS EXTRAORDINARY ACCESS TO AN INTERNATIONAL CONFERENCE BY THESE MOVEMENTS SHOULD NOT BE CONSIDERED A PRECEDENT FOR ANY OTHER CONFERENCE. THE CONSISTENT VIEW OF THE UNITED STATES HAS BEEN THAT THE PARTICIPATION OF SUCH MOVEMENTS IN A DIPLOMATIC CONFERENCE IS INAPPROPRIATE. THE UNIQUELY HUMANITARIAN CONCERNs OF THIS CONFERENCE JUSTIFY AN EXCEPTION TO THIS POSITION, BUT IT SHOULD BE UNDERSTOOD THAT IT IS LIMITED TO THE FACTS OF THE CASE BEFORE US.

" THE DELEGATION OF THE UNITED STATES WISHES, IN PARTICULAR, TO REGISTER ITS DISSENT FROM THOSE PARTS OF THE SECOND OPERATIVE PARAGRAPH OF THE RESOLUTION WHICH REQUIRE THE CIRCULATION OF PROPOSALS AND AMENDMENTS SUBMITTED BY DELEGATIONS OF THESE MOVEMENTS AND WHICH IMPLY THAT SUCH PROPOSALS AND AMENDMENTS WILL BE VOTED ON. IN THE VIEW OF THE DELEGATION OF THE UNITED STATES, SUCH PROPOSALS AND AMENDMENTS SHOULD REQUIRE ACTION BY THE CONFERENCE ONLY WHEN A DELEGATION OF A STATE IS A COSPONSOR.

"IF THIS RESOLUTION HAD BEEN PUT TO THE VOTE, THE DELEGATION OF THE UNITED STATES WOULD HAVE VOTED TO REJECT IT."

3. PRIOR TO ADOPTION OF RESOLUTION, SYG OF CONFERENCE INDICATED THAT FOLLOWING WERE LIBERATION MOVEMENTS WERE RECOGNIZED BY REGIONAL ORGANIZATIONS WITHIN MEANING OF RESOLUTION: PALESTINE LIBERATION ORGANIZATION (PLO); LIBERATION FRONT OF MOZAMBIQUE (FRELIMO); PEOPLES MOVEMENT FOR THE LIBERATION OF ANGOLA (MPLA); NATIONAL LIBERATION FRONT OF ANGOLA (FLNA); AFRICAN NATIONAL CONGRESS (ANC); PAN AFRICAN CONGRESS (PAC); ZIMBABWE AFRICAN PEOPLES UNION (ZAPU); ZIMBABWE AFRICAN NATIONAL UNION (ZANU); SOUTHWEST AFRICAN PEOPLE'S UNCLASSIFIED

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ORGANIZATION (SWAPO); LIBERATION FRONT OF THE SOMALI COAST (FNCS); LIBERATION MOVEMENT OF DJIBOUTI (MLD); SEYCHELLES PEOPLE'S UNITED PARTY (SPUP); LIBERATION MOVEMENT OF SAO TOME E PRINCIPE (MLSTP); NATIONAL MOVEMENT FOR THE LIBERATION OF THE COMORES ISLANDS (MOLINACO).

4. AFTER ADOPTION, THE SY ANNOUNCED THAT TELEGRAMS

WOULD BE SENT TO OAU AND ARAB LEAGUE, INFORMING THEM
OF ADOPTION OF THIS RESOLUTION. SYG THEN ESCORTED
REPRESENTATIVES OF LIBERATION MOVEMENTS TO ROW OF SEATS
AT BACK OF CONFERENCE HALL. DALE

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